

Policy 5131.2: Bullying

Status: ADOPTED

Original Adopted Date: 10/25/2022 | **Last Reviewed Date:** 10/25/2022

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No individual or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in district schools with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community. Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with the law and the District's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parent/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy or intradistrict or interdistrict transfer, as applicable.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

Legal Reference:

EDUCATION CODE

- 200(<https://simbli.eboardsolutions.com/SU/tunCr1TYZ0syaQANeG51sA==>)
 - 262.4(<https://simbli.eboardsolutions.com/SU/3YNLPOFuj6DCef0fBjq7XA==>) Prohibition of discrimination
 - 32282(<https://simbli.eboardsolutions.com/SU/BHttMYHxHzax4iHp0jm7hw==>) Comprehensive safety plan
 - 32283.5 Bullying; online training
 - 35181(<https://simbli.eboardsolutions.com/SU/sPo1Nrt4d40ScK2hcPZplusxQ==>) Governing board policy on responsibilities of students
 - 35291(<https://simbli.eboardsolutions.com/SU/NHsrQkHohXkupz7H8NAdqg==>)
 - 35291.5(<https://simbli.eboardsolutions.com/SU/VAtfGj2pMnMnCheb5pWlaQ==>) Rules
 - 48900(<https://simbli.eboardsolutions.com/SU/YcsXRn02g4mWXQzy4fKAjg==>)
 - 48925(<https://simbli.eboardsolutions.com/SU/sZslshcJJXa9XASnqk8gzCCTQ==>) Suspension or expulsion
 - 48985(<https://simbli.eboardsolutions.com/SU/NdrsrJ4OzSHDrqPf50LyTA==>) Translation of notices
 - 52060-52077 Local control and accountability plan
- PENAL CODE

422.55 Definition of hate crime

647(<https://simbli.eboardsolutions.com/SU/ysBN1g53I2hfi98fVplus2uBw==>) Use of camera or other instrument to invade person's privacy; misdemeanor

647.7(<https://simbli.eboardsolutions.com/SU/fa5XplusHikekuEL7PIRNmMUQ==>) Use of camera or other instrument to invade person's privacy; punishment

653.2(<https://simbli.eboardsolutions.com/SU/yB0lf3wtJa273TyoDE36yQ==>) Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification or nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094 Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012 Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018

Social and Emotional Learning in California: A Guide to Resources, 2018

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12

Schools in Responding to Immigration Issues, April 2018

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Guidance to America's Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

CSBA: <http://www.csba.org>(<https://simbli.eboardsolutions.com/SU/endNqaxyiGQAmOk5HoBoUw==>)

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lss/>

California Office of the Attorney General: <http://oag.ca.gov>

Center on Great Teachers and Leaders: <https://gtlcenter.org>

Collaborative for Academics Social and Emotional Learning: <https://casel.org>

Common Sense Media: <http://www.commonsensemedia.org>

National School Safety Center:

<http://www.schoolsafety.us>(<https://simbli.eboardsolutions.com/SU/urlZG60XpCoYplusfXR5BBlvg==>)

Partnership for Children and Youth: <https://www.partnerforchildren.org>

U.S. Department of Education: <http://www.ed.gov>

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 4600-4670

Description

Uniform complaint procedures

Ed. Code 200-262.4

Prohibition of discrimination -

<https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==>

Ed. Code 32280-32289.5

School safety plans

Ed. Code 32283.5

Bullying; online training

Ed. Code 35181

Governing board authority to set policy on responsibilities of students

Ed. Code 35291-35291.5

Rules

Ed. Code 46600

Student transfers

Ed. Code 48900-48925

Suspension and expulsion

Ed. Code 48985

Notices to parents in language other than English

Ed. Code 52060-52077

Local control and accountability plan

Pen. Code 422.55

Definition of hate crime

Pen. Code 647

Use of camera or other instrument to invade person's privacy; misdemeanor

Pen. Code 647.7

Use of camera or other instrument to invade person's privacy; punishment

Pen. Code 653.2

Electronic communication devices; threats to safety

Federal References

28 CFR 35.107

Description

Nondiscrimination on basis of disability; complaints

34 CFR 104.7

Designation of responsible employee for Section 504

34 CFR 106.8

Designation of responsible employee for Title IX

34 CFR 110.25

Notification of nondiscrimination on the basis of age

47 USC 254

Universal service discounts (E-rate)

Management Resources References

Description

CA Office of the Attorney General Publication

Promoting Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist CA K-12 Schools in Responding to Immigration Issues, 4/2018

California Department of Education Publication

Bullying at School, 2003

California Department of Education Publication

Bullying Module

California Department of Education Publication

California's Social and Emotional Learning: Guiding Principles, 2018

California Department of Education Publication

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

California Department of Education Publication	Social and Emotional Learning in California: A Guide to Resources, 2018
Court Decision	J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
Court Decision	Lavine v. Blaine School District, (2002) 279 F.3d 719
Court Decision	Wynar v. Douglas County School District, (2013) 728 F.3d 1062
CSBA Publication	Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012
CSBA Publication	Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009
CSBA Publication	Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
CSBA Publication	Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014
U.S. DOE Office for Civil Rights Publication	Guidance to America's Schools: Bullying of Students with Disabilities, October 2014
U.S. DOE Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOE Office for Civil Rights Publication	Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on Basis of Sex, Race, Color, Oct 2010
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==
Website	National School Safety Center - https://simbli.eboardsolutions.com/SU/DT4ecTE5xOmkiuXplMccKw==
Website	Partnership for Children and Youth - https://simbli.eboardsolutions.com/SU/bolflRuzs4PI63kJl3082w==
Website	Center on Great Teachers and Leaders - https://simbli.eboardsolutions.com/SU/uuNY8dCMmlel2NuPXnq4GQ==
Website	Collaborative for Academic Social and Emotional Learning - https://simbli.eboardsolutions.com/SU/sNNHIYslsh8zYCfpQYfg7rGplusw==
Website	Common Sense Media - https://simbli.eboardsolutions.com/SU/wpUjl8j8od73P0r6UNOcNQ==
Website	California Department of Education, Safe Schools - https://simbli.eboardsolutions.com/SU/AxdFslshFpyQ1QP0821fOy9pg==
Website	California Office of the Attorney General - https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education - https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==

Cross References

Description

0100	Philosophy - https://simbli.eboardsolutions.com/SU/vplusSKMiiVb80plusy2J6d9Ph1g==
0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/kFoKSfJMQ2slshf8RDrkLtSBQ==

0440 District Technology Plan -
<https://simbli.eboardsolutions.com/SU/KfXhXjXBM8TTZslshbhhG7VpA==>

0440 District Technology Plan -
<https://simbli.eboardsolutions.com/SU/U0qjSRslshUsqeslshKacJ40hQLg==>

0450 Comprehensive Safety Plan -
<https://simbli.eboardsolutions.com/SU/8LA2y6JoWQ15Slk8twfS0A==>

0450 Comprehensive Safety Plan -
<https://simbli.eboardsolutions.com/SU/4zt29r1dK4P7uYSGeZWYZw==>

1113 District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/xD7oTjfaEZ3IGb9lvuXjuw==>

1113 District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/S11CZ1IOslshNNwqWofJu6Jzw==>

3515 Campus Security -
<https://simbli.eboardsolutions.com/SU/cypn1Gj30uQCPENSrl3wyg==>

3515 Campus Security -
<https://simbli.eboardsolutions.com/SU/e6iQbnxplTUmRglRsoslshk8w==>

4131 Staff Development -
<https://simbli.eboardsolutions.com/SU/0qew73bE96e5INzpj4EXLA==>

4131 Staff Development -
<https://simbli.eboardsolutions.com/SU/cZ6kVCZ4PEF7olf3u7PvDw==>

4219.21 Professional Standards -
<https://simbli.eboardsolutions.com/SU/9jW1E9L2DrnplusLDlvRIHYvw==>

4219.21 Professional Standards -
<https://simbli.eboardsolutions.com/SU/Hcsj0GAKXnKplusGNYXwEst4A==>

4219.21-E PDF(1) Professional Standards -
<https://simbli.eboardsolutions.com/SU/KRdiDjXtpHSslshsslshKln7ejfg==>

4231 Staff Development -
<https://simbli.eboardsolutions.com/SU/ickKzy9YP8AaXi8wRFRwJA==>

4231 Staff Development -
<https://simbli.eboardsolutions.com/SU/QH4lapEwq8Ing5XrYnyglQ==>

4319.21 Professional Standards -
<https://simbli.eboardsolutions.com/SU/p9FC8MLkTMMYVfG0xAqeslshA==>

4319.21 Professional Standards -
<https://simbli.eboardsolutions.com/SU/jKMni3UAzXzXnNpiS5VLBw==>

4319.21-E PDF(1) Professional Standards -
<https://simbli.eboardsolutions.com/SU/N4plus3hVMP4yxl6z1PrauCQ==>

5030 Student Wellness -
<https://simbli.eboardsolutions.com/SU/7VTqM7HFfaA7rLggH7Kxsg==>

5113.1 Chronic Absence And Truancy -
<https://simbli.eboardsolutions.com/SU/IFhFj5bCPUgjp36mWhmQXQ==>

5113.1 Chronic Absence And Truancy -
<https://simbli.eboardsolutions.com/SU/gYfgRFhra9RisKxOO0AIDw==>

5116.1 Intradistrict Open Enrollment -
<https://simbli.eboardsolutions.com/SU/flaIPSpv7BZwanihpluscZWpA==>

5116.1 Intradistrict Open Enrollment -
<https://simbli.eboardsolutions.com/SU/k3D1lkef1S9my3Zh9abLoQ==>

5117 Interdistrict Attendance -
<https://simbli.eboardsolutions.com/SU/KJSFA14tMoVaMVvgR1nWpg==>

5117 Interdistrict Attendance -
<https://simbli.eboardsolutions.com/SU/0eOVb4IU8GslshhS8g5Yw08Tg==>

5125	Student Records - https://simbli.eboardsolutions.com/SU/qYg5omThD8bYC3SoHO16fg==
5125	Student Records - https://simbli.eboardsolutions.com/SU/Xa2ghNQNhZRtmU6UznsHw==
5131	Conduct - https://simbli.eboardsolutions.com/SU/T0SEgbyqXwVhGqnBMqdCPA==
5136	Gangs - https://simbli.eboardsolutions.com/SU/72Ne1pZgYsDgtDIS4rOfA==
5136	Gangs - https://simbli.eboardsolutions.com/SU/qlGIC3GhIRHfxPh9yJ7aZw==
5137	Positive School Climate - https://simbli.eboardsolutions.com/SU/HYqz1t4EmoRXnpBTcBlplus9Q==
5138	Conflict Resolution/Peer Mediation - https://simbli.eboardsolutions.com/SU/70GB2V6VsqcDuJq8rVKsmg==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/3ZTJInwLSQsiROF49BOKpg==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/tSQW8ESUN1Vj5xCCNPGLIA==
5141.52	Suicide Prevention - https://simbli.eboardsolutions.com/SU/jPR99XHGVdckBs1MiVcj5w==
5141.52	Suicide Prevention - https://simbli.eboardsolutions.com/SU/xckz2QP4slshSPLEOj9NSpw1A==
5144	Discipline - https://simbli.eboardsolutions.com/SU/T7V7w2frRSYbsOfW8yR3RA==
5144	Discipline - https://simbli.eboardsolutions.com/SU/xXpw5VmDFoDIRiMouNslsh7PA==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/AuKWgWYL05JtWhLKYdnYkw==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/uvqjvVWslshtRX5w7SAnhmPA==
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities) - https://simbli.eboardsolutions.com/SU/XMqGDT2VMTTuZrNplusQgWUzG==
5145.12	Search And Seizure - https://simbli.eboardsolutions.com/SU/yrDrWpyIUQILBvIEEsbIng==
5145.12	Search And Seizure - https://simbli.eboardsolutions.com/SU/MuS33Q0OdL5m5c2NLOUJjw==
5145.2	Freedom Of Speech/Expression - https://simbli.eboardsolutions.com/SU/oCMOaOb7YPX5yOyk9rsrFw==
5145.2	Freedom Of Speech/Expression - https://simbli.eboardsolutions.com/SU/7tx6cyQplusbG3BMyiny1PsQ==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/jOuQiFoPeWRcOneUezDbtA==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/mOGznqpHooAhIBfshL4nQ==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/Slavsv1MgLpFMZlb3ftSQQ==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/Fk2tOePr3MDUJELGgVLJ3vw==
5145.9	Hate-Motivated Behavior - https://simbli.eboardsolutions.com/SU/dCY6ce7ib4FFy74NIXFoSQ==
6144	Controversial Issues - https://simbli.eboardsolutions.com/SU/ZWceoitZTsYDm69ZByi10Q==

- 6163.4 Student Use Of Technology -
<https://simbli.eboardsolutions.com/SU/slshd7aePmspdwcakZCLh3PaQ==>
- 6163.4 Student Use Of Technology -
<https://simbli.eboardsolutions.com/SU/1hslshJ3mJHMC Pune1xvPehg==>
- 6164.2 Guidance/Counseling Services -
<https://simbli.eboardsolutions.com/SU/K62slsh56kjXhFsLhtPBGY0Jw==>
- 6173.1 Education For Foster Youth -
<https://simbli.eboardsolutions.com/SU/ZUuMvvzQx6uHBslshkJvS03yw==>
- 6173.1 Education For Foster Youth -
<https://simbli.eboardsolutions.com/SU/sQxUX2VwYkwRhzcBt2UjQ==>